



General Assembly

Amendment

February Session, 2014

LCO No. **5606**

HB0556605606HD0

Offered by:

REP. FLEISCHMANN, 18th Dist.

SEN. STILLMAN, 20th Dist.

REP. ACKERT, 8th Dist.

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To: Subst. House Bill No. **5566**

File No. 452

Cal. No. 266

"AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES."

1 In lines 53, 112, 124, 128, 141 and 148, strike "specialist" and insert
2 "officer" in lieu thereof

3 Strike section 8 in its entirety and insert the following in lieu thereof:

4 "Sec. 8. Subsection (a) of section 10-221q of the general statutes is
5 repealed and the following is substituted in lieu thereof (*Effective July*
6 *1, 2014*):

7 (a) Except as otherwise provided in subsection (b) of this section,
8 each local and regional board of education and the governing
9 authority for each state charter school, interdistrict magnet school and
10 endowed academy approved pursuant to section 10-34, shall permit at
11 schools under its jurisdiction the sale of only the following beverages
12 to students from any source, including, but not limited to, school

13 stores, vending machines, school cafeterias, and any fund-raising
14 activities on school premises, whether or not school sponsored: (1)
15 [Milk that may be flavored but contain] Low-fat milk that is
16 unflavored or fat-free milk that is flavored or unflavored that contains
17 no artificial sweeteners, nonnutritive sweeteners or sugar alcohols, no
18 added sodium and no more than four grams of sugar per ounce, (2)
19 nutritionally equivalent nondairy [milks] milk substitutes permitted
20 under the school meal requirements of the United States Department
21 of Agriculture, such as soy or rice milk [, which] that may be flavored
22 but contain no artificial sweeteners, nonnutritive sweeteners or sugar
23 alcohols, no more than four grams of sugar per ounce, no added
24 sodium, no more than thirty-five per cent of calories from fat per
25 portion and [no more] less than ten per cent of calories from saturated
26 fat per portion, (3) one hundred per cent fruit juice, vegetable juice or
27 combination of such juices, containing no added sugars, sweeteners,
28 [or] artificial sweeteners, sugar alcohols and no added sodium, (4)
29 beverages that contain only water and fruit or vegetable juice and have
30 no added sugars, sweeteners, [or] artificial sweeteners, nonnutritive
31 sweeteners or sugar alcohols, no added sodium and meet the nutrition
32 requirements prescribed by the Department of Education, and (5)
33 water [, which] that may be flavored but contain no added sugars,
34 sweeteners, artificial sweeteners, sugar alcohols, added sodium or
35 caffeine. Portion sizes of beverages, other than water as described in
36 subdivision (5) of this subsection, that are offered for sale pursuant to
37 this subsection shall not exceed [twelve] eight fluid ounces for
38 elementary schools and twelve fluid ounces for middle and high
39 schools."

40 Strike section 11 in its entirety and renumber the remaining sections
41 and internal references accordingly.

42 After the last section, add the following and renumber sections and
43 internal references accordingly:

44 "Sec. 501. (NEW) (*Effective July 1, 2014*) (a) For purposes of this
45 section:

46 (1) "Internship" means supervised practical training of a student
47 intern that is comprised of curriculum and workplace standards
48 approved by the Department of Education and the Labor Department;

49 (2) "Internship provider" means a person, as defined in section 1-79
50 of the general statutes, who provides an internship to a student intern
51 pursuant to an agreement with (A) a local or regional board of
52 education that operates an agricultural science and technology
53 education center, and (B) the local or regional board of education
54 otherwise responsible for educating such student intern if such board
55 of education does not maintain an agricultural science and technology
56 education center; and

57 (3) "Student intern" means a student enrolled in an agricultural
58 science and technology education center participating in an internship
59 offered or provided by an internship provider.

60 (b) No internship provider shall be liable to a student intern or a
61 parent or guardian of a student intern for civil damages for any
62 personal injury that results from acts or omissions of such internship
63 provider offering or providing an internship to a student intern that
64 may constitute ordinary negligence, provided such internship provider
65 exercised reasonable care in the provision of the internship and was in
66 compliance with any applicable safety and health standards
67 established under any federal, state and local laws and regulations and
68 any industry codes. The immunity provided in this subsection does
69 not apply to acts or omissions constituting gross, reckless, wilful or
70 wanton misconduct.

71 Sec. 502. Subsection (b) of section 10-220a of the 2014 supplement to
72 the general statutes is repealed and the following is substituted in lieu
73 thereof (*Effective July 1, 2014*):

74 (b) Not later than a date prescribed by the commissioner, each local
75 and regional board of education shall establish a professional
76 development and evaluation committee. [consisting of certified

77 employees] Such professional development and evaluation committee
78 shall consist of (1) at least one teacher, as defined in section 10-144d,
79 selected by the exclusive bargaining representative for certified
80 employees chosen pursuant to section 10-153b, (2) at least one
81 administrator, as defined in section 10-144e, selected by the exclusive
82 bargaining representative for certified employees chosen pursuant to
83 section 10-153b, and (3) such other school personnel as the board
84 deems appropriate. [, including representatives selected by the
85 exclusive bargaining representative for such employees chosen
86 pursuant to subsection (b) of section 10-153.] The duties of such
87 committees shall include, but not be limited to, participation in the
88 development or adoption of a teacher evaluation and support program
89 for the district, pursuant to section 10-151b, and the development,
90 evaluation and annual updating of a comprehensive local professional
91 development plan for certified employees of the district. Such plan
92 shall: [(1)] (A) Be directly related to the educational goals prepared by
93 the local or regional board of education pursuant to subsection (b) of
94 section 10-220, [(2)] (B) on and after July 1, 2011, be developed with full
95 consideration of the priorities and needs related to student outcomes
96 as determined by the State Board of Education, and [(3)] (C) provide
97 for the ongoing and systematic assessment and improvement of both
98 teacher evaluation and professional development of the professional
99 staff members of each such board, including personnel management
100 and evaluation training or experience for administrators, shall be
101 related to regular and special student needs and may include
102 provisions concerning career incentives and parent involvement. The
103 State Board of Education shall develop guidelines to assist local and
104 regional boards of education in determining the objectives of the plans
105 and in coordinating staff development activities with student needs
106 and school programs.

107 Sec. 503. (NEW) (*Effective July 1, 2014*) (a) The Department of
108 Education, in consultation with the after school committee established
109 pursuant to section 10-16v of the general statutes, may, within
110 available appropriations, administer a grant program to provide grants

111 to local and regional boards of education, municipalities and not-for-
112 profit organizations that are exempt from taxation under Section
113 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent
114 corresponding internal revenue code of the United States, as from time
115 to time amended, for summer learning programs that provide direct
116 services and for entities that provide support to summer learning
117 programs. For purposes of this section, "summer learning program"
118 means a program that provides a minimum of two hundred forty
119 hours of educational, enrichment and recreational activities during the
120 summer recess period for public schools and includes small group
121 instruction in literacy and math for children in grades kindergarten to
122 twelve, inclusive, and has a parental involvement component.

123 (b) (1) Applications for grants pursuant to subsection (a) of this
124 section shall be filed biennially with the Commissioner of Education at
125 such time and in such manner as the commissioner prescribes. As part
126 of the application, an applicant shall submit a plan for the expenditure
127 of grant funds.

128 (2) Eligibility for grants pursuant to this section shall be determined
129 for a two-year period and shall be based on the plan for expenditure of
130 grant funds. Prior to the payment of funds to the grant recipient for the
131 second year of the grant, the grant recipient shall report to the
132 Department of Education on performance outcomes of the program
133 and file expenditure reports pursuant to subsection (f) of this section.
134 The report concerning performance outcomes shall include, but not be
135 limited to, measurements of the impact on student achievement
136 including grade-level reading ability, childhood obesity and the
137 behavior of student participants.

138 (c) The Department of Education and the after school committee
139 established pursuant to section 10-16v of the general statutes shall
140 develop and apply appropriate evaluation procedures to measure the
141 effectiveness of the grant program established pursuant to this section.

142 (d) For purposes of carrying out the provisions of this section, the

143 Department of Education may accept funds from private sources and
144 from any state agency that is a member of the after school committee.

145 (e) The Department of Education shall provide grant recipients with
146 technical assistance, evaluation, program monitoring and professional
147 development. The department may retain up to four per cent of the
148 amount appropriated for the grant program for purposes of this
149 subsection.

150 (f) Grant recipients shall file expenditure reports with the
151 Commissioner of Education in accordance with subdivision (2) of
152 subsection (b) of this section and at such time and in such manner as
153 the commissioner prescribes. Grant recipients shall refund (1) any
154 unexpended amounts at the close of the program for which the grant
155 was awarded, and (2) any amounts not expended in accordance with
156 the approved grant application.

157 (g) Not later than March 15, 2017, and biennially thereafter, the
158 Department of Education shall report, in accordance with the
159 provisions of section 11-4a of the general statutes, to the joint standing
160 committee of the General Assembly having cognizance of matters
161 relating to education on performance outcomes of recipients of grants
162 under this section. The report shall include, but not be limited to,
163 measurements of the impact on student achievement including grade-
164 level reading ability, childhood obesity and the behavior of student
165 participants.

166 Sec. 504. Subsection (a) of section 10-151b of the 2014 supplement to
167 the general statutes is repealed and the following is substituted in lieu
168 thereof (*Effective from passage*):

169 (a) The superintendent of each local or regional board of education
170 shall annually evaluate or cause to be evaluated each teacher, and for
171 the school year commencing July 1, 2013, and each school year
172 thereafter, such annual evaluations shall be the teacher evaluation and
173 support program adopted pursuant to subsection (b) of this section.

174 The superintendent may conduct additional formative evaluations
175 toward producing an annual summative evaluation. An evaluation
176 pursuant to this subsection shall include, but need not be limited to,
177 strengths, areas needing improvement, strategies for improvement and
178 multiple indicators of student academic growth. Claims of failure to
179 follow the established procedures of such teacher evaluation and
180 support program shall be subject to the grievance procedure in
181 collective bargaining agreements negotiated subsequent to July 1, 2004.
182 In the event that a teacher does not receive a summative evaluation
183 during the school year, such teacher shall receive a "not rated"
184 designation for such school year. [The] Not later than September
185 fifteenth of each school year, the superintendent shall report on (1) the
186 status of teacher evaluations to the local or regional board of
187 education, [on or before June first of each year,] and (2) the status of
188 the implementation of the teacher evaluation and support program,
189 including the frequency of evaluations, aggregate evaluation ratings,
190 the number of teachers who have not been evaluated and other
191 requirements as determined by the Department of Education, to the
192 Commissioner of Education. [on or before June thirtieth of each year.]
193 For purposes of this section, the term "teacher" shall include each
194 professional employee of a board of education, below the rank of
195 superintendent, who holds a certificate or permit issued by the State
196 Board of Education.

197 Sec. 505. Subsection (a) of section 10-145p of the 2014 supplement to
198 the general statutes is repealed and the following is substituted in lieu
199 thereof (*Effective July 1, 2014*):

200 (a) The Department of Education shall review and approve
201 proposals for alternate route to certification programs for school
202 administrators. In order to be approved, a proposal shall provide that
203 the alternate route to certification program (1) be provided by a public
204 or independent institution of higher education, a local or regional
205 board of education, a regional educational service center or a private,
206 nonprofit teacher or administrator training organization approved by

207 the State Board of Education; (2) accept only those participants who
 208 (A) hold a bachelor's degree from an institution of higher education
 209 accredited by the Board of Regents for Higher Education or Office of
 210 Higher Education or regionally accredited, (B) have at least forty
 211 school months teaching experience, of which at least ten school months
 212 are in a position requiring certification at a public school, in this state
 213 or another state, (C) have less than tenth months teaching experience
 214 in a public school in another state while holding professional
 215 certification, provided (i) such participant provides a statement of
 216 justification for participation in such alternate route to certification
 217 program and receives approval from the department for such
 218 participant's participation in such alternate route to certification
 219 program, and (ii) the number of such participants shall not be greater
 220 than ten per cent of the total number of participants in such alternate
 221 route to certification program for a school year, and [(C)] (D) are
 222 recommended by the immediate supervisor or district administrator of
 223 such person on the basis of such person's performance; (3) require each
 224 participant to (A) complete a one-year residency that requires such
 225 person to serve (i) in a position requiring an intermediate
 226 administrator or supervisor endorsement, and (ii) in a full-time
 227 position for ten school months at a local or regional board of education
 228 in the state under the supervision of (I) a certified administrator, and
 229 (II) a supervisor from an institution or organization described in
 230 subdivision (1) of this subsection, or (B) have ten school months
 231 experience in a full-time position as an administrator in a public or
 232 nonpublic school in another state that is approved by the appropriate
 233 state board of education in such other state; and (4) meet such other
 234 criteria as the department requires."

This act shall take effect as follows and shall amend the following sections:		
Sec. 8	July 1, 2014	10-221q(a)
Sec. 501	July 1, 2014	New section
Sec. 502	July 1, 2014	10-220a(b)
Sec. 503	July 1, 2014	New section

Sec. 504	<i>from passage</i>	10-151b(a)
Sec. 505	<i>July 1, 2014</i>	10-145p(a)